IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Cont.Case(C).No.846 of 2007(S)

ARISING FROM THE ORDER IN I.A.NO.11722 OF 2006 IN W.P.(C) NO.20827/2004 DATED 09/01/2007.

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PETITIONER/PETITIONER IN WP(C):-

V.P.REMADEVI, AGED 43, S/O.ASOKAN,
KAVUMGUMKOOTTATHIL HOUSE, ELAMAKKARA, COCHIN-26.

BY ADV. SRI.P.GOPALAKRISHNA MENON
SRI.M.JITHESH MENON

RESPONDENTS: CHAIRMAN AND MEMBERS OF IST RESPONDENT IN WP(C):-
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1. SRI.RAJU NARAYANA SWAMI, AGED ABOUT 40 YEARS,
   S/O. NOT KNOWN TO THE PETITIONER,
   DISTRICT COLLECTOR AND CHAIRMAN,
   REGIONAL TRANSPORT AUTHORITY, KOTTAYAM,
   CIVIL STATION, KOTTAYAM, NOW TRANSFERED AS
   DISTRICT COLLECTOR, IDUKKI, CIVIL LINES, PYNAVU, IDUKKI.

2. P.SUBRAHMANIAN, AGE AND SON OF NOT KNOWN TO THE PETITIONER,
   DEPUTY TRANSPORT COMMISSIONER, CENTRAL ZONE-II,
   ERNAKULAM, KAKKANAD, COCHIN-21.

3. S.SREEJITH, I.P.S, AGE AND SON OF NOT KNOWN TO THE PETITIONER,
   SUPERINTENDENT OF POLICE, KOTTAYAM.

BY SENIOR GOVERNMENT PLEADER SRI.M.R.SABU.

THIS CONTEMPT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

H.L.Dattu,C.J. & K.T.Sankaran,J.

Cont.Case (C).No.846 of 2007-S

Dated, this the 25th day of June, 2007

JUDGMENT

H.L.Dattu,C.J.

Alleging that the respondents have disobeyed the interim orders and directions issued by this Court in I.A.No.11722 of 2006 in W.P.(C).No.20827 of 2004 dated 09.01.2007, the petitioner/complainant is before us in this contempt petition with a request to initiate appropriate proceedings against the respondents for the so-called disobedience of the orders and directions issued by this Court.

2. The order passed by this Court is as under:

> "As an interim measure and subject to further orders to be passed, this application is allowed".

3. The respondents have understood the orders passed by this Court in a particular manner and thereafter passed an order dated 9.3.2007. In our opinion, the petitioner has to question the same before the appropriate forum in appropriate proceedings. Therefore, in our considered opinion, the respondents have not disobeyed either wilfully or deliberately the interim orders and directions issued by this Court. In view of that, we do not intend to take cognizance of the contempt petition filed by the complainant. It requires to be rejected and it is rejected.

Ordered accordingly.

H.L.Dattu
Chief Justice

K.T.Sankaran
Judge

vku/-